

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue application of:

Geoffrey B. Rhoads

Examining Group: 2621

Confirmation No.: 3644

Application No.: 10/766,750

Filed: January 27, 2004

For: METHODS FOR SURVEYING
DISSEMINATION OF PROPRIETARY
EMPIRICAL DATA

VIA ELECTRONIC FILING

Examiner: J. Couso

Date: May 15, 2007

RESPONSE ACCOMPANYING RCE

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In response to status inquiries submitted to the USPTO, Applicant's representative learned that the supplemental response filed November 16, 2005, was potentially considered to be non-compliant due to the format of the amendment to the specification included in the response. In particular, this amendment should not have used strike-out markings to show changes, and should have made changes relative to the patent.

Upon further review of the file and correspondence with the USPTO, Applicant's representative learned that the Examiner had allowed the re-issue application in response to the interview held on November 1, 2005. In this interview, Office representatives had indicated that outstanding rejection pertaining to a source code listing would be re-evaluated from the perspective of whether the re-association of the source code with the patent would raise concerns about a broadening reissue. Rather than wait for this reconsideration, the Applicant filed the supplemental response on November 16, 2005.

Upon following up with the Examiner after filing the November 16 response, Applicant's representative learned that the re-issue application had been allowed in response to the interview on November 1, 2005. Further, although the supplemental response had created some confusion in the office, the Examiner indicated that the application had been allowed again after the supplemental response.

Since the supplemental response of November 16, 2005, is apparently not going to be entered, Applicant's representative now respectfully requests the Office to reconsider the re-issue application. Since the application was in condition for allowance after the interview on November 1, 2005, the re-issue application should again be in condition for allowance now that the apparently non-compliant supplemental response of November 16, 2005, has not and will not be entered.

An Interview Summary is filed herewith indicating why the November 1, 2005, interview is believed to have put the application in condition for allowance.


Date: May 15, 2007

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Respectfully submitted,

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